

that the subject matter of these claims was disclosed in Fig. 8 and in claims 19, 20, 22 and 23 of Mandler et al.

Applicants respectfully traverse this rejection, on the grounds that the subject matter disclosed in Fig. 8 and in claims 19, 20, 22 and 23 of Mandler et al. was invented by Benjamin Mandler, who is the sole inventor of claims 67, 68, 76-80 and 88-90 in the present patent application.

In support of this traversal, the following declarations under 37 C.F.R. 132 are submitted herewith:

1) A declaration by both inventors in the present patent application (Mandler and Talyansky) proving that Mandler was the sole inventor of claims 67, 68, 76-80 and 88-90.

2) A declaration by all the inventors in Mandler et al. (Mandler, Maarek-Smadja, Azagoury, and Factor) proving that Mandler was the sole inventor of the subject matter disclosed in Fig. 8 and in claims 19, 20, 22 and 23 of Mandler et al. The declarations were not submitted earlier because Applicant believed that the evidence previously submitted was sufficient to overcome the present rejection. As the attached declarations do not raise new issues, but simply respond to the Examiner's request for additional evidence, Applicant believes the declarations should be accepted and considered notwithstanding the present final rejection.

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The attached declarations prove unequivocally, in accordance with the guidelines of MPEP 715.01(a) and 716.10, that the subject matter in Mandler et al. that was cited by the Examiner does not qualify as prior art under 35 U.S.C. 102(e) against the present patent application. Claims 67, 68, 76-80 and 88-90 are therefore believed to be patentable over Mandler et al.

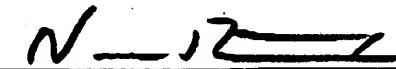
Claims 69 and 81 were objected to for depending from rejected base claims. For the reasons stated above, however, the base claims (67 and 79) are believed to be patentable, and therefore this objection should be withdrawn.

Applicant believes the remarks presented hereinabove to be fully responsive to all of the objections and grounds of rejection raised by the Examiner. In view of these remarks, Applicant respectfully submits that all of the claims in the present application are in order for allowance. Notice to this effect is hereby requested.

Respectfully submitted,

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